

3763

Docket No. CRD-0967

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Stanko Bodnar, et. al.

Serial No. : 09/966,783 Art Unit: 3763

Filed : September 28, 2001 Examiner: Not Yet Assigned

For : COATED MEDICAL DEVICES AND STERILIZATION THEREOF

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Carl J. Evens

(Name of applicant, assignee, or Registered Representative)

(Signature)

9/21/04

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on December 17, 2001, April 9, 2002, July 26, 2002, November 18, 2003, and February 20, 2004.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the

information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with the first or second After Final Submission, therefore:

- Statement in Accordance with §1.97(e)
(attached); or
- Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or

an action that otherwise closes prosecution and that it is accompanied by one of:

- Statement in Accordance with §1.97(e)
(attached); or
- Please charge Deposit Account No. 10-
0750/ / the fee of \$180.00 as set forth
in §1.17(p).

In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language is as follows: CN85100493 and

CN85100445 were cited by the Chinese Patent Office in the corresponding CN application.

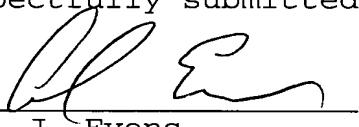
Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed February 20, 2002 and November 18, 2003.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/CRD-0967/CJE. This form is submitted in triplicate.

Respectfully submitted,



Carl J. Evens

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SUBMISSION UNDER MPEP 609 D

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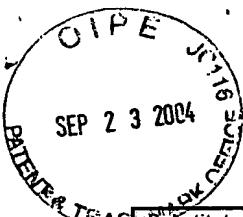
SUBMISSION UNDER MPEP 609 D	Application Number	09/966,783
	Filing Date	September 28, 2001
	First Named Inventor	Stanko Bodnar
	Group Art Unit	3763
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	CRD-0967

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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SEP 23 2004

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 3

Application Number	09/966,783
Filing Date	September 28, 2001
First Named Inventor	Stanko Bodnar
Group Art Unit	3763
Examiner Name	Not Yet Assigned
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U.S. PATENT DOCUMENTS

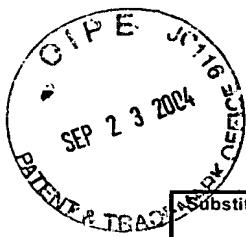
Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		3,051,677	A	Rexford	08-28-1962	
		3,726,279	A	Barefoot et al.	04-10-1973	
		3,779,805	A	Alsberg	12-18-1973	
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		5,635,201	A	Fabo	06-03-1997	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Sheet 2 of 3

Application Number	09/966,783
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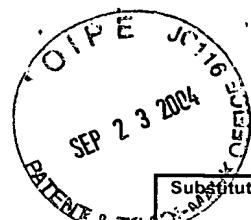
Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		5,684,061	A	Ohnishi et al.	11-04-1997	
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Sheet 3 of 3

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		2001/034363	A1	Li et al.	10-25-2001	
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		Office ³	Number ⁴	KindCode ⁵				
		CN	85 1 00445	A		07-09-1986		No
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		WO	01/87342	A2	Cordis Corporation	11-22-2001		
		WO	01/87376	A1	Cordis Corporation	11-22-2001		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		Encyclopedia of Polymer Science and Engineering, Vol. 7 "Fluorocarbon Elastomers" (March 1989) pp 257-267.	
		VERWEIRE ET AL, "Evaluation of Fluorinated Polymers as Coronary Stent Coating", Journal of Materials Science: Materials in Medicine 11 (April 2000).	

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